

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
SCRANTON

APR 20 2012

PER \_\_\_\_\_  
DEPUTY CLERK

ELWOOD SMALL, et al.,  
Plaintiffs

v.

JOHN WETZEL, et al.,  
Defendants

CIVIL NO. 3:11-CV-1819

(JUDGE NEALON)

(MAGISTRATE JUDGE MANNION)

**ORDER**

NOW, THIS 20<sup>th</sup> DAY OF APRIL, 2012, for the reasons stated in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 22) is **ADOPTED**;
2. The motion to dismiss the complaint, or in the alternative, for a transfer of venue, (Doc. 10) is **GRANTED** to the extent that the action is transferred to the United States District Court for the Western District of Pennsylvania;
3. The motion to stay (Doc. 16) is **DISMISSED** without prejudice;
4. The Clerk of Courts is directed to **TRANSFER** this action to the United States District Court for the Western District of Pennsylvania; and
5. The Clerk of Courts is directed to **CLOSE** this case.



United States District Judge